

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Manne Satyanarayana REDDY et al.

Art Unit: 1624

Application No. 10/809,192

Examiner: S. Moore

Filed: March 25, 2004

FOR: CRYSTALLINE CETIRIZINE MONOHYDROCHLORIDE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

RESPONSE

In response to the Office Action that was mailed for the subject application on October 12, 2006, consideration of the following remarks is respectfully requested. As this response is not being submitted within the established period of one month, a petition to extend that period is also being submitted.

The Office Action imposed a restriction requirement, grouping the claims of the application as follows:

- I. Claims 1-21 and 32, directed to crystalline cetirizine monohydrochloride and simple compositions thereof.
- II. Claims 26-31 and 35-38, directed to a process for making crystalline cetirizine monohydrochloride.
- III. Claims 33 and 34, directed to a method of using crystalline cetirizine monohydrochloride.
- IV. Claims 22-25, directed to directed to compositions containing crystalline cetirizine monohydrochloride and another active ingredient.

Direction for imposing restriction requirements is provided by M.P.E.P. § 803:

Under the statute, the claims of an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent (MPEP § 802.01, § 806.06, and § 808.01) or distinct (MPEP § 806.05 - § 806.05(j)).